

Regular Session, 2010

HOUSE BILL NO. 298

BY REPRESENTATIVE BALDONE

MOTOR VEHICLES: Allows persons riding bicycles upon a roadway, which includes an improved shoulder, the option of riding on the improved shoulder

1 AN ACT

2 To amend and reenact R.S. 32:197 and 329(B) and to enact R.S. 32:329(C), (D), (E), (F),
3 and (G), relative to bicycles and roadways; to provide relative to light requirements
4 on the rear of bicycles; to provide for installation requirements; to allow persons
5 riding bicycles upon a roadway the option of riding a bicycle on the improved
6 shoulder under certain circumstances; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:197 and 329(B) are hereby amended and reenacted and R.S.
9 32:329(C), (D), (E), (F), and (G) are hereby enacted to read as follows:

10 §197. Riding on roadways and bicycle paths

11 A. Every person operating a bicycle upon a roadway shall ride as near to the
12 right side of the roadway as practicable, exercising due care when passing a standing
13 vehicle or one proceeding in the same direction.

14 B. Persons riding bicycles upon a roadway, which includes an improved
15 shoulder, may ride upon the improved shoulder.

16 ~~B.C.~~ Persons riding bicycles upon a roadway shall not ride more than two
17 abreast except on paths or parts of roadways set aside for the exclusive use of
18 bicycles.

19 ~~C.D.~~ Whenever a usable path for bicycles has been provided adjacent to a
20 roadway, bicycle riders shall use such path and shall not use the roadway.

21 * * *

§329. Bicycles; front lamps; side and rear reflectors; rear lamps

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B. Every bicycle when in use at nighttime on a state highway, parish road, or city street, in addition to the requirements of Subsection A of this Section, shall be equipped with a lamp emitting a red flashing light or a red light on the rear of the bicycle, which shall be visible from all distances within six hundred feet to one hundred feet when directly in front of lawful lower beams of headlamps on a motor vehicle.

B C. No person shall sell or offer for sale any bicycle unless such bicycle is equipped with at least one red reflector on the rear and one reflector on each side as required by this Section.

D. After December 31, 2010, no person shall operate any bicycle at nighttime on a state highway, parish road, or city street, unless such bicycle is equipped with at least one lamp emitting a red flashing light or a red light on the rear as required by Subsection B of this Section.

E.(1) Any person who violates Subsection B of this Section subsequent to December 31, 2010, shall be given a warning ticket only.

F. This Section shall not apply to bicycles while engaged in sanctioned competition races.

G. The provisions of Subsection B of this Section shall not apply to any child under the age of ten years old, who may operate a bicycle.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Baldone

HB No. 298

Abstract: Allows persons riding bicycles on a roadway, which includes an improved shoulder, the option of riding on the improved shoulder. Requires that every bicycle used at nighttime on a state highway, parish road, or city street be equipped with a lamp which emits a flashing red light on the rear of the bicycle. Provides for time requirements for installation of rear lamp.

Present law requires persons riding bicycles on the road to ride as near to the right side of the roadway as practicable, exercising care when passing a vehicle proceeding in the same direction.

Present law requires that persons riding bicycles ride no more than two abreast and further requires that whenever a usable path for bicycles is adjacent to a roadway, bicycle riders use that path rather than the roadway.

Proposed law allows persons riding bicycles on a roadway, which includes an improved shoulder, the option of riding on the improved shoulder.

Present law requires every bicycle when in use at nighttime to be equipped with a lamp on the front that emits a white light from a distance of 500 feet to the front and a red reflector on the rear and a reflector on each side facing outward at a right angle to the bicycle frame which shall be visible from all distances within 600 feet to 100 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle.

Proposed law retains present law except that it requires every bicycle when in use at nighttime on a state highway, parish road, or city street to be equipped with a rear lamp that emits a red flashing light or a red light.

Present law provides that no person shall sell or offer for sale any bicycle unless such bicycle is equipped with at least one red reflector on the rear and one reflector on each side as required by provisions under present law.

Proposed law prohibits the use of any bicycle on a state highway, parish road, or city street after Dec. 31, 2010, unless the bicycle is equipped with at least one lamp emitting a red reflector flashing light on the rear.

Proposed law provides for a warning for a violation prior to Dec. 31, 2010.

Proposed law provides that the provisions under proposed law shall not apply to bicycles while engaged in sanctioned competition races. Further provides the provisions under proposed law shall not apply to any child under the age of ten years old, who may operate a bicycle.

(Amends R.S. 32:197 and 329(B); Adds R.S. 32:329(C), (D), (E), (F) and (G))

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Added provisions for light and installation requirements on the rear of bicycles.